

1 Kathleen C. Jeffries (State Bar #110362)
2 SCOPELITIS, GARVIN, LIGHT, HANSON & FEARY, LLP
2 North Lake Avenue, Suite 460
3 Pasadena, California 91101
Telephone: (626) 795-4700
Facsimile: (626) 795-4790
kjeffries@scopelitis.com

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JS-6

5 Attorneys for Defendants
6 YELLOW FREIGHT SYSTEM, INC. and
YELLOW TRANSPORTATION, INC.

7
8 UNITED STATES DISTRICT COURT

9 CENTRAL DISTRICT OF CALIFORNIA

10 E & S INTERNATIONAL) Case No. CV08-03224 PSG (JTSRx)
11 ENTERPRISES, INC.,)
12 Plaintiff,) JUDGMENT
13) (Fed. R. Civ. P. Rule 56)
14 v.)
15)
16 YELLOW FREIGHT SYSTEM, INC.,)
17 YELLOW TRANSPORTATION, INC.,)
17 and DOE ONE through DOE TEN,)
18 Defendants.)
18 _____)

19
20 The motion of defendants Yellow Freight System, Inc. and Yellow
21 Transportation, Inc. for summary judgment against plaintiff E & S
22 International Enterprises, Inc. was decided by the Court without hearing, the
23 matter having been found appropriate for decision without oral argument
24 pursuant to Federal Rules of Civil Procedure Rule 78 and Local Rule 7-15.

25 The Court, having considered all matters presented by the parties
26 on said motion, issued a written order on January 28, 2009 granting
27 summary judgment for defendants.

1 Accordingly,

2 IT IS HEREBY ORDERED AND ADJUDGED that plaintiff E & S
3 International Enterprises, Inc. shall recover nothing from defendants Yellow
4 Freight System, Inc. or Yellow Transportation, Inc.

5

6 Dated: January 30, 2009

PHILIP S. GUTIERREZ

7 Judge, United States District Court

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I, **Kathleen C. Jeffries**, am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 2 North Lake Avenue, Suite 460, Pasadena, California 91101.

On, February 2, 2009, I served the foregoing document described as
(PROPOSED) JUDGMENT on interested parties in this action

VIA ELECTRONIC FILING TO:

Mr. Michael S. McDaniel
Mr. Bruce Lindsay
Countryman & McDaniel
LAX Airport Center, Eleventh Floor
5933 West Century Boulevard
Los Angeles, California 90045

(BY MAIL) I deposited such envelope in the mail at Pasadena, California. The envelope was mailed with postage thereon fully prepaid.

I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Pasadena, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

(FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on February 2, 2009, at Pasadena, California.

/s/ Kathleen C. Jeffries

Kathleen C. Jeffries